



CMP(MD) No.10341 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Monday, the Second day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

and

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

C.M.P(MD)No.10341 of 2024

in

C.M.A(MD)SR.No.25019 of 2023

MUTHULAKSHMI,

... PETITIONER/APPELLANT

Vs

SATHIYAMOORTHY,

... RESPONDENT/RESPONDENT

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 467 days in representing the C.M.A.(MD).SR.No.25019 of 2023 and thus render justice.

PRAYER IN C.M.A(MD)SR.No.25019 of 2023:

Pleased to pass a Judgement and Decree setting aside the Fair and Decretal Order dated 05.12.2019 passed in H.M.O.P.No.143 of 2018 on the file of Family Court, Sivagangai.

ORDER : This Civil Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.A.MURALI KUMAR, Advocate for the petitioner, the court made the following order:-

[Order of the Court was made by P.VELMURUGAN,J]

This petition has been filed to condone the delay of 468 days in representing the

C.M.A.(MD).SR.No.25019 of 2023.

2. On 08.08.2024, this Court passed the following conditional order:
<https://www.mhc.tn.gov.in/judis>



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“Since the delay is huge, issue notice to the respondent returnable in three weeks (28.08.2024). Private notice is also permitted. Affidavit of service on the private notice to be filed by 30.08.2024. List the matter on 02.09.2024. Batta for the Court notice to be paid within three days and if the batta is not paid in time, Registry shall not entertain the same and the Civil Miscellaneous Petition shall stand automatically dismissed as against the respondent, without further reference to this Court. In case, if the batta is paid by the appellant and the same is otherwise in order, Registry is directed to proceed with the same in accordance with law on the same day itself, without any further delay.

2.List the matter on 02.09.2024, for further hearing.”

3. Today (02.09.2024), it is seen from the records that the batta was not paid. Therefore, in view of the non-compliance of the conditional order passed by this Court on 08.08.2024, this petition stands dismissed.

sd/-
02/09/2024

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/09/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO
THE JUDGE,
FAMILY COURT, SIVAGANGAI.

ORDER IN
C.M.P(MD)No.10341 of 2024 in
C.M.A(MD)SR.No.25019 of 2023
Date :02/09/2024

RS/GS/SAR-(09.09.2024) 3P 2C
Madurai Bench of Madras High Court is issuing
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